

ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	Not Yet Assigned 10/526663
				Filing Date	Concurrently Herewith
				First Named Inventor	Shibo ZHANG
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	416272004600

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/CC/	1.	US-4,003,156	01-18-1977	Sibi et al.	
/CC/	2.	US-6,162,900	12-19-2000	Guerinot et al.	
/CC/	3.	US-6,235,529-B1	05-22-2001	Lemaux et al.	

FOREIGN PATENT DOCUMENTS					
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/CC/	4.	ABBAS, M. A. et al. (1993) "Growth and Some Metabolic Activities of Maize Plants in Response to Copper Pollution," <i>Journal of Environmental Sciences</i> 6:145-158	
/CC/	5.	DONCHEVA, S. et al. (1996) "Effect of Copper Excess on the Morphology of the Nucleus in Maize Root Meristem Cells," <i>Physiologia Plantarum</i> 96:118-122	
/CC/	6.	DONCHEVA, Snejana (1997) "Ultrastructural Localization of Ag-NOR Proteins in Root Meristem Cells After Copper Treatment," <i>J. Plant Physiol.</i> 151:242-245	
/CC/	7.	ZHANG, S. et al. (1999) "Genetic Transformation of Commercial Cultivars of Oat (<i>Avena sativa</i> L.) and Barley (<i>Hordeum vulgare</i> L.) Using in Vitro Shoot Meristematic Cultures Derived from Germinated Seedlings," <i>Plant Cell Reports</i> 18:959-966	
/CC/	8.	ZHANG, S. et al. (2002) "Transformation of Recalcitrant Maize Elite Inbreds Using in Vitro Shoot Meristematic Cultures Induced from Germinated Seedlings," <i>Plant. Cell Rep.</i> 21:263-270	
/CC/	9.	Int'l Search report, dated May 17, 2004, Int'l Appln. No. PCT/US2003/027565	

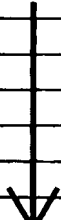
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/CC/	1.	US-4,699,644	10-13-1987	Brandt et al.	
	2.	US-5,164,310	11-17-1992	Smith et al.	
	3.	US-5,281,529	01-25-1994	Zhong et al.	
	4.	US-5,320,961	06-14-1994	Zhong et al.	
	5.	US-5,350,688	09-27-1994	Matsuno et al.	
	6.	US-5,403,736	04-04-1995	Tanimoto	
	7.	US-5,405,765	04-11-1995	Vasil et al.	
	8.	US-5,480,789	01-02-1996	Firoozabady et al.	
	9.	US-5,565,355	10-15-1996	Smith	
	10.	US-5,589,617	12-31-1996	Nehra et al.	
	11.	US-5,610,042	03-11-1997	Chang et al.	
	12.	US-5,639,949	06-17-1997	Ligon et al.	
	13.	US-5,641,664	06-24-1997	D'Halluin et al.	
	14.	US-5,736,369	04-07-1998	Bowen et al.	
	15.	US-5,948,956	09-07-1999	Lee et al.	
	16.	US-6,140,555	10-31-2000	Reichert et al.	
	17.	US-6,486,384	11-26-2002	Zhang et al.	
✓	18.	US-6,541,257-A1	04-01-2003	Lemaux et al.	

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/CC/	19.	EP-0558676	09-08-1993			
	20.	JP-01027466	01-30-1989			
	21.	JP-07213183	08-15-1995			
	22.	JP-07255304	10-09-1995			
	23.	WO-92/20809	11-26-1992			
	24.	WO-94/13822	06-23-1994			
	25.	WO-96/04392	02-15-1996			
	26.	WO-97/17429	05-15-1997			

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/CC	27.	ALI, Gayoor et al. (1999) "Morphogenic and Biochemical Responses of Bacopa Monniera Cultures to Zinc Toxicity," Plant Science, 143: 187-193		
	28.	BAILLIE et al., 1992, "Field evaluation of barley (Hordeum vulgare L.) genotypes derived from tissue culture," Can. J. Plant Sci., 72:725-733.		
	29.	BHASKARAN et al., 1990, "Regeneration in Cereal Tissue Culture: A Review," Crop Sci., 30:1328-1337.		
	30.	BHOJWANI, S. S. et al. (1983) Chapter 3 In Plant Tissue Culture: Theory and Practice, Elsevier, Amsterdam, pages 25-41		
	31.	BREGITZER et al, 1995, "Plant regeneration from Barley Callus: Effects of 2, 4-dichlorophenoxyacetic acid and phynylacetic acid," Plant Cell Tiss. Org. Cult., 43:229-235.		
	32.	BREGITZER et al. (1998) "Enhancement of Plant Regeneration from Embryogenic Callus of Commercial Barley Cultivars," Plant Cell Reports 17(12): 941-945.		
	33.	BREGITZER, 1992, "Plant Regeneration and Callus Type in Barley: Effects of Genotype and Culture Medium," Crop Sci., 32:1108-1112.		
	34.	CASAS et al. (1997) "Transgenic Sorghum Plants Obtained after Microprojectile Bombardment of Immature Inflorescences," In Vitro Cell. Dev. Biol. - Plant 33: 92-100		
	35.	CHRISTENSEN et al., 1996, "Ubiquitin promoter-based vectors for high-level expression of selectable and/or screenable marker genes in monocotyledonous plants," Transgenic Res., 5:1-6.		
	36.	DAHLEEN, 1995, "Improved plant regeneration from barley callus cultures by increased copper levels," Plant Cell Tiss. Org. Cult., 43:267-269.		
✓	37.	DAHLEEN, Lynn S. (July 1996) Public message posted on Plant-tc Bulletin Board located at < http://plant-tc.coafes.umn.edu/listserv/1996/log9607/msg00093.html >		
	38.	DE BLOCK et al., 1987, "Engineering herbicide resistance in plants by expression of a detoxifying enzyme," EMBO J., 6:2513-2518.		
	39.	FLETCHER, (1969) "Retardation of Leaf Senescence by Benzyladenine in Intact Bean Plants," Planta, 89:1-8.		
	40.	FROMM et al., (1986) "Stable transformation of maize after gene transfer by electroporation," Nature, 319:791-793.		
	41.	FROMM et al., (1989) "An Octopine Synthase Enhancer Element		

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Sheet	3	of	5	Attorney Docket Number	416272004600

		Directs Tissue-Specific Expression and Binds ASF-1, a Factor from Tobacco Nuclear Extracts," Plant Cell, 1:977-984.	
ICC	42.	FUNATSUKI et al., (1995) "Fertile transgenic barley generated by direct DNA transfer to protoplasts," Theor. Appl. Genet., 91:707-712.	
	43.	GHAEMI et al., (1994) "The effects of silver nitrate, colchicines, cupric sulfate and genotype on the production of embryoids from anthers of tetraploid wheat (Triticum turgidum)," Plant Cell Tiss. Org. Cult., 36:355-359.	
	44.	GLESS et al. (1998), "Transgenic Oat Plants Obtained at High Efficiency by Microprojectile Bombardment of Leaf Base Segments," J. Plant Physiol., 152:151-157.	
	45.	GOLDSTEIN et al., (1986) "Tissue culture and plant regeneration from immature embryo explants of Barley, Hordeum vulgare," Theor. Appl. Genet., 71:631-636.	
	46.	GORDON-KAMM et al., (1990) "Transformation of Maize Cells and Regeneration of Fertile Transgenic Plants," Plant Cell, 2:603-618.	
	47.	GRIFFIN et al., (1995) "High-frequency plant regeneration from seed-derived callus cultures of Kentucky bluegrass (Poa pratensis L.)," Plant Cell Rep., 14:721-724.	
	48.	HAGIO et al., (1995) "Production of fertile transgenic barley (Hordeum vulgare L.) plant using the hygromycin-resistance marker," Plant Cell Rep., 14:329-334.	
	49.	HANZEL et al., (1985) "Genotype and Media Effects on Callus Formation and Regeneration in Barley," Crop Sci., 25:27-31.	
	50.	HOLM et al., (1994) "Regeneration of fertile barley plants from mechanically isolated protoplasts of the fertilized egg cell," Plant Cell, 6:531-543	
	51.	HOLTORF et al., (1995) "Two routes of chlorophyllide synthesis that are differentially regulated by light in barley (Hordeum vulgare L.)," Proc. Natl. Acad. Sci. USA, 92:3254-3258.	
	52.	HOSSAIN, B. et al. (1997) "Internal Zinc Accumulation is Correlated with Increased Growth in Rice Suspension Culture," J Plant Growth Regul, 16: 239-243	
	53.	JAHNE et al., (1991) "Regeneration of fertile plants from protoplasts derived from embryogenic cell suspensions of barley (Hordeum vulgare L.)," Plant Cell Rep., 10:1-6.	
	54.	JAHNE et al., (1994) "Regeneration of transgenic, microspore-derived, fertile barley," Theor. Appl. Genet., 89:525-533.	
✓	55.	JAHNE, A. et al. (1991) "Plant Regeneration from Embryonic Cell	

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/CCI/		Suspensions Derived from Anther Cultures of Barley (<i>Hordeum Vulgare</i> L.)," Theor Appl Genet, 82: 74-80	
	56.	JAIN et al., (1995), "An improved procedure for plant regeneration from indica and japonica rice protoplasts," Plant Cell Reports, 14:515-519	
	57.	KASHA et al., (1991) "Haploids in Cereal Improvement: Anther and Microspore Culture," In: Gene Manipulation in Plant Improvement II, Gustafson (ed.), Plenum Press: New York, pp. 213-235.	
	58.	KOTT et al., (1984) "Initiation and morphological development of somatic embryoids from barley cell cultures," Can. J. Bot., 62:1245-1249.	
	59.	LEMAUX et al., (1996) "Bombardment-Mediated Transformation Methods for Barley," Bio-Rad US/EG Bulletin 2007: 1-6	
	60.	LUHRS et al., (1987) "Plant regeneration in vitro from embryo-genic cultures of spring- and winter-type barley (<i>Hordeum vulgare</i> L.) varieties," Theor. Appl. Genet., 75:16-25.	
	61.	LUTHRA, Rajesh et al. (1997) "Microprojectile Mediated Plant Transformation: A Bibliographic Search," Euphytica 95: 269-294	
	62.	MURAKAMI et al., (1986) "The bialaphos biosynthetic genes of <i>Streptomyces hygroscopicus</i> : Molecular cloning and characterization of the gene cluster," Mol. Gen. Genet., 205:42-50.	
	63.	NAPOLI et al. (1990), "Introduction of a Chimeric Chalcone Synthase Gene into <i>Petunia</i> Results in Reversible Co-Suppression of Homologous Genes in trans," The Plant Cell, 2:279-289.	
	64.	ORTIZ, Pablo A. et al. (1996) "Hygromycin Resistance as an Efficient Selectable Marker for Wheat Stable Transformation," Plant Cell Reports 15: 877-881	
	65.	PASTERNAK, Taras P. et al. (1999) "Embryogenic Callus Formation and Plant Regeneration from Leaf Base Segments of Barley (<i>Hordeum vulgare</i> L.)," J Plant Physiol, 155: 371-375	
	66.	POTRYKUS (1991), "Gene Transfer to Plants: Assessment of Published Approaches and Results," Annu. Rev. Plant Physiol. Plant Mol. Biol., 42:205-225.	
	67.	PURNHAUSER (1991) "Stimulation of Shoot and Root Regeneration in Wheat <i>Triticum Aestivum</i> Callus Cultures by Copper," Cereal Research Communications, 19: 419-424.	
↓	68.	SALMENKALLIO-MARTTILA et al., (1995) "Transgenic barley (<i>Hordeum vulgare</i> L.) by electroporation of protoplasts," Plant Cell Rep., 15:301-304.	

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ICC/	69.	SOMERS et al. (1992), "Fertile, Transgenic Oat Plants," Biotechnology, 10:1589-1594.	
	70.	THOMPSON et al., (1987) "Characterization of the herbicide-r-esistance gene bar from Streptomyces hygroscopicus," EMBO J., 6:2519-2523.	
	71.	TORBERT et al. (1995), "Use of paromomycin as a selective agent for oat transformation," Plant Cell Reports, 14:635-640.	
	72.	VAIN et al. (1993) "Osmotic Treatment Enhances Particle Bombardment-Mediated Transient and Stable Transformation of Maize," Plant Cell Reports, 12: 84-88	
	73.	WAN et al. (1995), "Type I callus as a bombardment target for generating fertile transgenic maize (Zea mays L.)," Planta, 196:7-14.	
	74.	WAN et al., (1994) "Biolistic Transformation of Microspore--Derived and Immature Zygotic Embryos and Regeneration of Fertile Transgenic Barley Plants," In: Gene Transfer to Plants, eds. Potrykus and Spangenberg, Springer Verlag, pp. 139-146.	
	75.	WAN, Yuechun et al. (1994) "Generation of Large Numbers of Independently Transformed Fertile Barley Plants," Plant Physiology, 104: 37-48	
	76.	ZAGHMOUT et al. (1992), "Plant Regeneration from Callus and Protoplasts of Perennial Ryegrass (Lolium perenne L.)," J. Plant Physiol., 140:101-105.	
	77.	ZHANG et al., (1996) "Production of Multiple Shoots Apical Meristems of Oat (Avena sativa L.)," J. Plant Physiol, 148:667-671.	
	78.	ZHANG, S. et al. (1998) "Expression of CDC2Zm and KNOTTED1 During In-Vitro Axillary Shoot Meristem Proliferation and Adventitious Shoot Meristem Formation in Maize (Zea mays L.) and Barley (Hordeum vulgare L.)," Planta, 204: 542-549	
	79.	ZHONG et al. (1996), "The Competence of Maize Shoot Meristems for Integrative Transformation and Inherited Expression of Transgenes," Plant Physiol., 110:1097-1107.	
	80.	ZHONG et al., (1991) "Plant regeneration via somatic embryo-genesis in creeping bentgrass (Agrostis palustris Huds.)," Plant Cell Rep., 10:453-456.	
✓	81.	ZHONG et al., (1992) "In-vitro morphogenesis of corn (Zea mays L.)," Planta, 187:483-489.	

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